process the purchase order, wherein the purchase order comprises an order for purchase of a chemical product formulated in accordance with said modified starting point formulation.

20. A method for processing a chemical product transaction, the method comprising:

receiving at a server computer from a first one of a plurality of client computers a request identifying a chemical product;

querying a database in response to the received request to retrieve chemical product data comprising a starting point formulation and chemical characteristics inherent to a-the starting point formulation-of the chemical product;

sending the chemical product data to the first client computer;

modifying the starting point formulation based on target characteristics input by a user

receiving a purchase order comprising a request to purchase the chemical product; and

processing the purchase order, said purchase order comprising an order for purchase by the user of a chemical product formulated in accordance with said modified starting point formulation.

## REMARKS

Applicant's comments may be preceded by relevant quotations of the Examiner from the Office Action, presented in small bold-faced type.

**Disposition of Claims**

**6) Claim(s) 6-12 and 17-25 is/are rejected**

In the March 19, 2003, Office Action, the Examiner has stated that claims 6-12 and 17-25 are rejected. Although the Examiner has set forth reasons for rejection of claims 6-12, <u>the Examiner has failed to state reasons for rejection of claims 17-25</u>.

Did the Examiner intend to allow claims 17-25, and improperly include claims 17-25 as "rejected", or did the Examiner intend to reject claims 17-25 and fail to state reasons for rejection?

On June 16, 2003, the undersigned left a phone message at the Examiner's phone number, 703-305-4879, identifying the application by serial number, stating that the Examiner had failed to address claims 17-25, and requesting a re-issue of the Office Action. As of the date of this filing, the undersigned had not received a response from the Examiner and, consequently, has proceeded to file this response.

Because the Examiner has failed to state reasons for the rejection of claims 17-25, the Office Action is defective and should be withdrawn and re-issued, or, in the alternative the subject matter of claims 17-25 should be allowed. The undersigned notes that claims 6 and 20 have each been amended to incorporate subject matter from claims 17-25 and, consequently, all pending claims now claim, directly or indirectly, subject matter found in the previously unaddressed claims 17-25.

### Claim Rejections - 35 USC § 103

Claim 6 - 12 are rejected under 35 U.S.C. 103(a) as being anticipated by the services of the company/website www.worldwidetesting.com - as described by the press releases from the company worldwidetesting dated June 22, 1999 and November 15, 1999, pages from the website www.worldwidetesting.com excised from "The Wayback Machine" (web.archive.org) dated from January to April 2000, and the article "Producers, Third-party exchanges gear up for the online buy" (Reilly, Christopher. Dec. 16, 1999. Purchasing) - in view of official notice regarding the functionality of e-commerce enabled websites.

Worldwidetesting facilitates commerce for chemically-related needs in industry. The site contains industry-testing standards for most industrial nations and a database of materials and testing results [Web Pages]. Specifically, the website provides buyers and sellers secure access to laboratory sample and test data relating to products offered through trading exchanges and online catalogs [Web Pages]. Customers can log into online chemical exchanges or e-commerce enabled chemical purchasing sites and access information directly from worldwidetesting [PR 6/22/99]. For example, on a trading exchange, a buyer will see a listing for a specific product and next to that there's an icon that allows him/her to review worldwidetesting's results of that product [Article]. Customers can review a test for a specific product or place a testing order for specific to their unique needs [PR 6/22/99] (chemical product data comprises starting point formulation where modifications can be made based on target characteristics input by user).

Worldwidetesting does not explicitly disclose the ability to process purchase orders for chemical products. Official notice is taken that it is widely known in the art that e-commerce enabled websites, chemical exchanges or otherwise, include secure purchase order and payment processing functionality. It would have been obvious to one skilled in the art at the time to modify the system of worldwidetesting, which allows users to log into online chemical exchanges and search for product information using worldwidetesting's databases, to further include secure purchasing functionality, as officially noticed, in order to fully benefit both buyers in sellers by creating a more informed satisfactory purchasing transaction.

Claim 6 has been amended to incorporate the subject matter of claims 17-19. Claim 6, as amended, recites a chemical product commerce system that receives a purchase order comprising a request to purchase a product identified by the product identifier and target characteristics input by a user. Based on the target characteristics, the system modifies a starting point formulation associated with a chemical product. The system can then process a purchase order whereby the purchaser purchases a chemical product formulated in accordance with said modified starting point formulation.

Nowhere does the cited prior art teach or suggest a chemical product commerce system in which a user can input target characteristics of the product, the target products are used to compute a modified starting point formulation, and the consumer is able to purchase a product that is formulated in accordance with the modified starting point formulation. In other words, the claimed system allows customization of the purchased product in a manner unavailable in the prior art. Consequently, claim 6, and its dependent claims 7, 9-12, are allowable over the prior art of record.

Claim 20 has been amended to incorporate the subject matter of its dependent claims 23-25. Claim 20 claims a method for processing a chemical product transaction in which a user can input target characteristics of a product, the target products are used to compute a modified starting point formulation, and the consumer is able to purchase a product that is formulated in accordance with the modified starting point formulation. Nowhere does the cited prior art teach or suggest such a method. Consequently, claim 20, and its dependent claims 21-22, are allowable over the prior art of record.
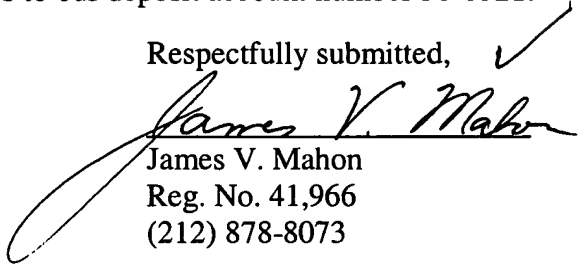
## CONCLUSION

Claims 6-7, 9-12, and 20-22 are now pending and believed to be in condition for allowance. Applicant respectfully requests that all pending claims be allowed.

Please apply any credits or excess charges to our deposit account number 50-0521.

Respectfully submitted,

Date: June 17, 2003

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